

PATENT

12/20/02

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Fischer, et al.  
 SERIAL NO : 09/759,709  
 FILED : January 12, 2001  
 TITLE : HYBRID MAIZE PLANT & SEED 36N70

Grp./A.U. : 1638  
 Examiner : Fox, David T.  
 Conf. No. : 2738  
 Docket No. : P04814US0

FAX RECEIVED

DEC 19 2002

GROUP 1600

## AMENDMENT

OFFICIAL

Assistant Commissioner for Patents  
 Washington, D.C. 20231

Dear Sir:

In response to the Office Action dated September 20, 2002, please consider the following remarks.

In the Claims

Please amend claims 6, 8, 10-11, 14-15, 18-19, 21, 23-24, 27-28 and 31-32 as follows:

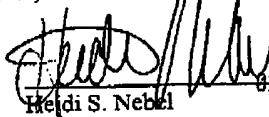
## 6. (Twice Amended)

The tissue culture according to claim 5, the cells or protoplasts of said cells having been isolated from a tissue selected from the group consisting of leaves, pollen, embryos, roots, root tips, anthers, silks, flowers, kernels, ears, cobs, husks, and stalks.

## CERTIFICATE OF FACSIMILE TRANSMISSION (37 C.F.R. § 1.6(a)(3))

I hereby certify that this document and the documents referred to as enclosed therein are being transmitted via facsimile to: Technology Center 1600 (Art Unit 1638) 703-872-9306, Attn: Assistant Commissioner for Patents, Washington, D.C. 20231, on this 18 day of December, 2002.

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Heidi S. Nebel